

### **REMARKS/ARGUMENTS**

Claims 1 and 6 were objected to. Claims 1, 2, 8 and 13 were rejected under 35 U.S.C. 102(b) as being anticipated by Zingher '468 (U.S. 5,930,468). Claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Rai '747 (U.S. Pub. No. 2003/0149747). Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Yacoub '805 (U.S. Pub. No. 2003/0011085). Claims 5, 6, 9 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Bauer '461 (U.S. Pub. No. 2001/0039461). Claims 7 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 as modified by Bauer '461 and further in view of Noyes '792 (U.S. Pub. No. 2003/0011792). Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 as modified by Bauer '461 and Noyes '792 and further in view of Wasenius '320 (U.S. Pub. No. 2002/0151320). Claims 14 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Pfeiffer '102 (U.S. 5,447,102).

Claims 1 and 6 have been amended.

New claims 16, 17 and 18 have been added. Support is found in the specification at [0023], [0004] and [0023] respectively.

Applicants respectfully request reconsideration of the application based on the following remarks.

#### **Claim Objections**

Claims 1 and 6 were objected to.

Claims 1 and 6 have been amended as requested.

Withdrawal of the objection to claims 1 and 6 is respectfully requested.

#### **35 U.S.C. §102(b) Rejection**

Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by Zingher '468.

Zingher '468 is discussed in detail in paragraph [0004] of the specification.

Claim 1 recites a method for determining an optimum procedure for a job change on a printing-material processing machine having at least one control computer, the method comprising:

comparing first data of a first machine job to second data of a subsequent machine job using the at least one control computer, and

establishing an order of operations to be carried out during the job change as a function of the comparing step.

Zingher '468 does not disclose "establishing an order of operations to be carried out during the job change as a function of the comparing step" as recited in claim 1. While Zingher discloses determining changes necessary to carry out a subsequent print job, it never "establishes an order of operation" to be carried out. Rather, the order of the print jobs is changed. The order of operation during the job change is never established.

In other words, Zingher does not establish any order during the job change but, if for example, a print job queue of jobs 1, 3, 4, 5, 2 is performed faster than a queue of jobs 1, 2, 3, 4, 5, Zingher would choose the former queue. However, the order of operation during the print jobs is not addressed or at issue in Zingher.

The present invention establishes the order of operation during the job change, as described for example at [0022] to [0024], so that, for example, cleaning or coating changes during the job change are optimized. Zingher does not establish such an order.

Withdrawal of the rejection under 35 U.S.C. §102(b) of claim 1 and its dependent claims is respectfully requested.

Claim 8 was rejected under 35 U.S.C. 102(b) as being anticipated by Zingher '468. Zingher is discussed above.

Claim 8 recites a device for determining an optimum procedure for a job change on a printing-material processing machine comprising:

at least one control computer comparing first data of a first machine job to second data of a subsequent machine job, and executing program steps as a function of the comparing step to establish an order of operations to be carried out during the job change.

Zingher does not disclose a "step to establish an order of operations to be carried out during the job change" as recited in claim 8. Zingher shows optimizing the print job queue.

Withdrawal of the rejection under 35 U.S.C. §102(b) of claim 8 and its dependent claims

is respectfully requested.

Claim 13 was rejected under 35 U.S.C. 102(b) as being anticipated by Zingher '468.

Zingher is discussed above.

Claim 13 recites a printing press comprising:

a device for determining an optimum procedure for a job change on a printing-material processing machine, the device including at least one control computer comparing first data of a first machine job to second data of a subsequent machine job, and executing program steps as a function of the comparing step to establish an order of operations to be carried out during the job change.

Zingher does not show "to establish an order of operations to be carried out during the job change" as recited in claim 13. Zingher fails to show that an order of operations can be carried out during the job change but only shows re-ordering of printing queues.

Withdrawal of the rejection under 35 U.S.C. §102(b) of claim 13 and its dependent claims is respectfully requested.

Since all elements of claims 1, 8 and 13 are not taught or shown in Zingher '468, there is no anticipation under 35 U.S.C. §102(b). (See MPEP 2131).

Withdrawal of the rejections under 35 U.S.C. §102(b) of claims 1 and its dependent claims, claim 8 and its dependent claims and claim 13 and its dependent claims is respectfully requested.

#### 35 U.S.C. §103(a) Rejection

Claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Rai '747.

Zingher '468 is discussed above.

Rai '747 discloses a centralized server for providing analytic services to print shops which are located remotely from the centralized server. (See paragraph [0013]).

Claim 3 recites "wherein a number of operating personnel of the printing-material processing machine is taken into account in the determination of the optimum procedure."

Neither Zingher nor Rai disclose taking into account “a number of operating personnel” as recited in claim 3. The Office Action is in error in asserting “a number of operating personnel of the printing-material processing machine is taken into account in the determination of the optimum procedure.” (See #5: pg. 7: parag. 2). Applicants cannot find this disclosure and there is no disclosure in Rai of this. Therefore, it would not have been obvious to modify Zingher with Rai to meet the claim limitation.

Withdrawal of the rejection under 35 U.S.C. §103(a) of claim 3 is respectfully requested.

Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher ‘468 in view of Yacoub ‘805.

Zingher ‘468 is discussed above.

Yacoub discloses a networked printing solution which minimizes the necessity of user interaction in the printing process. (See paragraph [0008]).

Claim 4 recites “wherein a length of paths to be traveled by operating personnel of the printing-material processing machine while carrying out the order of processes is taken into account in the determination of the optimum procedure.”

It would not have been obvious to one skilled in the art to modify Zingher in view of Yacoub to meet the claimed limitation because Yacoub does not disclose anything about “operating personnel” or any path lengths of any personnel as recited in claim 4. Yacoub discloses printing solutions for an end user which is not “operating personnel.”

Withdrawal of the rejection under 35 U.S.C. §103(a) of claim 4 is respectfully requested.

Claims 5 and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher ‘468 in view of Bauer ‘461.

Zingher ‘468 is discussed above.

Bauer discloses an apparatus and method for planning and controlling production sequences which permits flexible scheduling and coordination of the print jobs. (See paragraph [0011]).

Claim 5 recites “further comprising visually displaying the established order of processes to operating personnel.”

Neither Zingher nor Bauer disclose “displaying the established order of processes to operating personnel” as recited in claim 5. Bauer discloses using the planning board to permit scheduling and coordination of the production sequences which is not “displaying the established order of processes.” (See Bauer paragraph [0013]).

Withdrawal of the rejection under 35 U.S.C. §103(a) of claim 5 and its dependent claim is respectfully requested.

In further view of dependent claim 6 which recites “wherein the operating personnel are guided through individual steps of a calculated order of processes via one or more display devices mounted on the printing-material processing machine.”

Neither Zingher nor Bauer disclose “wherein the operating personnel are guided through individual steps” as recited in claim 6. Bauer shows that the display on the planning board can be changed therefore, it is not a “calculated order of processes” as in the present invention.

Withdrawal of the rejection under 35 U.S.C. §103(a) of claim 6 is respectfully requested.

Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher ‘468 in view of Bauer ‘461.

In view of the above, withdrawal of the rejection under 35 U.S.C. §103(a) of claim 9 is respectfully requested.

Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher ‘468 in view of Bauer ‘461.

Zingher ‘468 is discussed above.

Bauer ‘461 is discussed above.

Claim 12 recites “further comprising a display device or a system for acoustic communication for communicating information or errors.”

As admitted in the Office Action, neither Zingher nor Bauer shows “a system for acoustic communication” as recited in claim 12. (See #8; pg. 14; para. 1). Bauer shows only using a display board for communicating.

Withdrawal of the rejection under 35 U.S.C. §103(a) of claim 12 is respectfully requested.

Claims 7 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 as modified by Bauer '461 and further in view of Noyes '792

In view of the above, withdrawal of the rejection under 35 U.S.C. §103(a) of claims 7 and 10 is respectfully requested.

#### New Claims


New claims 16, 17 and 18 have been added. Support is found in the specification at [0023], [0004] and [0023] respectively. Zingher, as recited in for example [0004], would not optimize the print job, as would occur in the present invention, as it would require three print jobs to complete the same task.

**CONCLUSION**

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: \_\_\_\_\_

  
William C. Gehris  
(Reg. No. 38,156)

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue  
New York, New York 10018  
(212) 736-1940